

AN ACT

RELATING TO MOTOR VEHICLES; PROVIDING FOR SPECIAL REGISTRATION PLATES UPON A SHOWING OF SEVERE MOBILITY IMPAIRMENT; AMENDING SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-3-15.1 NMSA 1978 (being Laws 2001, Chapter 180, Section 1) is amended to read:

"66-3-15.1. SPECIAL MOTORCYCLE REGISTRATION PLATES FOR DISABLED PERSONS.--

A. The department shall issue a special motorcycle registration plate to a disabled person who requests the plate for use on a motorcycle owned by the person and who proves satisfactorily to the department that the person has a severe mobility impairment as defined in Subsection G of Section 66-3-16 NMSA 1978. The department shall not collect a fee in addition to regular motorcycle registration fees for issuance of a special motorcycle registration plate.

B. A person shall not falsely represent that the person is disabled in order to be eligible for a special motorcycle registration plate when that person is in fact not disabled.

C. A special motorcycle registration plate issued to a disabled person by another state or foreign jurisdiction shall be honored until the person establishes residency in

this state."

Section 2. Section 66-3-16 NMSA 1978 (being Laws 1978, Chapter 35, Section 36, as amended) is amended to read:

"66-3-16. SPECIAL REGISTRATION PLATES--DISABLED PERSONS--PARKING PLACARD.--

A. The division shall issue a special registration plate to a disabled person who requests the plate for use on a motor vehicle owned by the person and who proves satisfactorily to the division that the person has a severe mobility impairment as defined in Subsection G of this section. No fee in addition to the regular registration fee, if any, applicable to the motor vehicle shall be collected for issuance of special registration plates pursuant to this section.

B. No person shall falsely represent that the person is disabled so as to be eligible for a special registration plate or a parking placard pursuant to this section when the person is in fact not disabled. Upon notice and opportunity to be heard, the division may revoke and demand return of a special registration plate or placard when:

(1) it was issued in error or with false information;

(2) the person receiving the plate or placard is no longer eligible; or

(3) the plate or placard is being used by

ineligible persons.

C. Upon written application to the division accompanied by a medical statement by a licensed physician attesting to the permanent disability, a resident of the state who has a disability that limits or impairs the ability to walk, as provided in Subsection G of this section, may apply for and be granted the issuance of no more than two parking placards for display upon a motor vehicle registered to the resident or motor vehicle owned by another person who is transporting the resident. The physician shall provide the division all information and records necessary to issue a permanent parking placard. Once approved for use of a permanent parking placard, a person shall not be required to furnish further medical information about the mobility impairment.

D. A parking placard issued pursuant to this section shall expire on the same date the person's license or identification card issued pursuant to Section 66-5-401 NMSA 1978 expires.

E. The division shall issue two-sided hanger-style parking placards with the following characteristics:

(1) the international symbol of access shall be displayed on both sides of the placard and shall be at least three inches in height, centered on the placard and white on a blue field;

(2) an identification number enabling the division to identify the holder of each placard. The division shall maintain this information in a readily retrievable format, provide it to the governor's commission on disability and make it available on demand to any law enforcement agency just as it provides vehicle registration and driver's license information;

(3) the date of expiration; and

(4) the division seal or other identification of the issuing authority.

F. Upon written application to the division accompanied by a medical statement from a licensed physician attesting to a temporary disability, a person who has a temporary disability that limits or impairs the ability to walk may be issued a temporary placard for no more than one year. The physician shall provide the division all information and records necessary to issue a temporary placard.

G. For the purpose of obtaining a special registration plate or placard, a person with a "severe mobility impairment" means the person:

(1) cannot walk one hundred feet without stopping to rest;

(2) cannot walk without the use of a brace, a cane, a crutch, assistance from another person, a prosthetic

device, a wheelchair or another assistive device;

(3) is restricted by lung disease to the extent that the person's forced respiratory volume, when exhaling for one second, when measured by spirometry, is less than one liter or the arterial oxygen tension is less than sixty millimeters on room air at rest;

(4) uses portable oxygen;

(5) has a severe cardiac condition; or

(6) is so severely limited in ability to walk due to an arthritic, neurologic or orthopedic condition that the person cannot ascend or descend more than ten stair steps.

H. Special registration plates or placards issued to a person with severe mobility impairment by another state or foreign jurisdiction shall be honored until the vehicle is registered or the plate or placard holder establishes residency in this state.

I. A parking placard issued on or after July 1, 1999 and a special registration plate issued on or after July 1, 2005 shall be issued in accordance with the provisions of this section."

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